

PLYMOUTH BOARD OF SELECTMEN

TUESDAY, SEPTEMBER 5, 2017

ALBA THOMPSON ROOM, TOWN HALL, 11 LINCOLN STREET, PLYMOUTH, MA – 7:00 PM

7:00PM - CALL TO ORDER

Ken Tavares, Chairman of the Board, called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

Present: Kenneth A. Tavares, Chairman
 Anthony F. Provenzano Jr, Vice Chairman
 John Mahoney
 Shelagh Joyce
 Betty Cavacco

 Melissa Arrighi, Town Manager

7:01PM – PUBLIC COMMENT

Randy Parker came up first wanting to talk about the New Town Hall hours. He wanted to know why we were changing the Town Hall operating hours. He said we should not change the Town Hall hours simply because other communities are. Mr. Parker then said he would like to work together and come up with a solution so that Town Hall can stay open all day on Fridays. He said we can still staff the offices one night a week and still stay open all day on Friday. He asked the Board to consider his comments.

John Silvia came up next and asked why residents have to use the plastic orange trash bags when plastic shopping bags are banned. Mr. Silvia said that the private haulers don't use the bags and their bags and our bags all go into the same incinerator. He then wanted to say that on the corner of Bradley and Shore Drive there is property owned by the Town where the water backs up and freezes during the winter and is a hazard.

Kere Gillette, Town of Plymouth Employee, came to the podium to read a letter that she wrote regarding the New Town Hall hours of operation. Kasey, her daughter, handed out copies of that letter to the Board and Town Manager. Ms. Gillette's letter talked about how changing the Town Hall hours affect not only the employees, but their families as well and asked that they be considered in these kinds of decisions as well.

7:21PM – PUBLIC HEARING – Flynn's Irish Pub

In accordance with Chapter 138 of the Massachusetts General Laws, as amended, a Public Hearing was held at the Plymouth Town Hall, 11 Lincoln Street, Plymouth Massachusetts on Tuesday, September 5, 2017 at 7:05pm to consider the application for a Change of Beneficial Interest for Flynn's Cedarville Restaurant Group d/b/a Flynn's Irish Pub, 2240 State Road, holder of an Annual All Alcohol Restaurant Liquor License, John T. Downes, Manager.

Description of premises is as follows: A full service restaurant/pub offering food and drink with seating for 78 people. The bar consists of approximately 30 seats, dining room with 48 seats and two handicapped bathrooms, two points of egress, and a full kitchen.

John Downes came up to the podium and explained that was requesting to remove his partner's name from the supplied documents and leaving his name as the sole interest.

On a motion by Anthony Provenzano Jr and seconded by Shelagh Joyce, the Board approved a Change of Beneficial Interest for Flynn's Cedarville Restaurant Group d/b/a Flynn's Irish Pub, 2240 State Road, Plymouth, Massachusetts. *Voted 5/0*

7:24PM – PUBLIC HEARING – 99 Restaurant

In accordance with Chapter 138 of the Massachusetts General Laws, as amended, a Public Hearing was held at the Plymouth Town Hall, 11 Lincoln Street, Plymouth Massachusetts on Tuesday, September 5, 2017 at 7:10pm to consider the application for a Change of Beneficial Interest for 99 Restaurants of Boston LLC, 19 Home Depot Drive, holder of an Annual All Alcohol Restaurant Liquor License, Meaghan Kannenberg, Manager.

Description of premises is as follows: 205 seats including 39 seats at the bar, including dining area, a lounge and bar area, lounge dining room, take-out area, vestibule, men's room, ladies' room, galley station, cook line, prep area, pick up area, dishwashing area, office, employee room, food and paper storage area, beer cooler, food cooler, walk-in freezer, mechanical room, electrical room, and receiving room.

After Chairman Tavares read this into the record and opened the Hearing he asked if the petitioner was present, which they were not. The Chairman explained that this was a simple request and did not require the petitioner to be present.

On a motion by Anthony Provenzano Jr and seconded by Betty Cavacco, the Board approved a Change of beneficial Interest for the 99Restaurant, 19 Home Depot Drive, Plymouth, Massachusetts. *Voted 5/0*

7:27PM – TOWN MANAGER'S REPORT

Stantec Foundation

Melissa Arrighi, Town Manager, updated the Board by saying the Friends of Plymouth Dog Park were working on their non-profit status with the IRS. She said they have been actively fundraising and raised \$15,000 to go towards the \$25,000 (10%) match for the Stantec Foundation's \$250,000 grant to build the Dog Park. Ms. Arrighi said once awarded, the Town must sign an MOU with the Stantec Foundation which will state that the Town will commit to long-term maintenance of the Dog Park. She wanted to be clear that if the Friends couldn't meet their fundraising goals then the Town would be obligated to maintain the Park.

New Town Hall

Ms. Arrighi said the construction on the New Town Hall was nearing completion and we anticipate the building will be ready for occupancy in October. She went on to say that at this time we will be closed to the public on Friday, October 27 and Monday, October 30th for moving and officially open the New Town Hall on Tuesday, October 31, 2017 to the public

for business as usual. Ms. Arrighi said that once we open the New Town Hall new hours of operation will be as follows:

Monday – 7:30am until 4:00pm
Tuesday – 7:30am until 6:30pm
Wednesday – 7:30am until 4:00pm
Thursday – 7:30am until 4:00pm
Friday – 7:30am until Noon

Closed to Shell-Fishing

Ms. Arrighi made the Board aware that the Division of Marine Fisheries had determined that a portion of Plymouth Harbor, in the Town of Plymouth, no longer meets the established criteria for the status of “Open to Shell-Fishing”. The USFDA has expressed concerns of the proximity of the Waste Water Treatment Plant Discharge Pipe to this portion of Long Beach. As a result, DMF has decided to close this area until it can be reassessed and concerns about shell-fishing safety resolved. Ms. Arrighi finished by saying there are a lot of fears so the right thing to do would be to get rid of the pipe.

White Horse Beach

The Town Manager gave an update from the Selectmen’s Meeting last week regarding recommendations made by the White Horse Beach Parking Committee. Some of the recommendations were as follows: Install signs in the entire WHB District, paint “No Parking” lines, mark fire hydrants, remove two illegal signs, parking on one side of Taylor Avenue, add handicap spots, add bike racks, and add “No Parking” signs.

Sewer Force Main and Back to School

Ms. Arrighi gave an update of the current work being done on the Sewer Force Main and how it would affect school bus traffic. She listed the main areas of concern as Alden Street at Standish Avenue, Westerly Road at Town Brook, and Billington Street to Braley Road. She finished by saying various message boards, signs, and police details will be in place to assist motorists during this work period.

Municipal Aggregation

Melissa Arrighi explained that our office has received a number of complaints from residents who had gotten the Electrical Aggregation Notice. She said that Patrick Farah has put together a public informational session at the Town Hall on Tuesday, September 12, 2017 from 5:00pm to 8:00pm in the lower level. Ms. Arrighi also mentioned that some residents didn’t care for the automatic enrollment and wanted to remind the Board that this program went through an extensive process with several public meetings before going to Town Meeting for the vote.

7:32PM - LICENSES AND ADMINISTRATIVE NOTES

LICENSES

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board approved a One Day Wine and Malt License for **Bramhall’s Country Store** for an Acoustic Dinner being held on September 23, 2017 from 6:00pm to 9:00pm at the Country Store. *Voted 5/0*

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board approved a One Day Wine and Malt License for **Bramhall's Country Store** for an Acoustic Dinner being held on September 29, 2017 from 7:00pm to 10:00pm at the Country Store. *Voted 5/0*

On a motion by John Mahoney and seconded by Shelagh Joyce, the Board approved a New Class II Auto Dealer's License for **Larry Hiltz**, 50 Nightingale Road. *Voted 5/0*

On a motion by Shelagh Joyce and seconded by John Mahoney, the Board approved an Amplified Music Permit for **Healthy Plymouth** for an Amazing Race Fundraiser being held on September 23, 2017 from 3:00pm to 6:00pm at the Nathaniel Morton School. *Voted 5/0*

On a motion by John Mahoney and seconded by Anthony Provenzano Jr, the Board approved a Common Victualler License for **Saint Joseph Corporation d/b/a Zesto's Deli and Pizzeria**, 59 Industrial Park Road. *Voted 5/0*

On a motion by John Mahoney and seconded by Anthony Provenzano Jr, the Board approved a Comprehensive Entertainment License (Radio) for **Saint Joseph Corporation d/b/a Zesto's Deli and Pizzeria**, 59 Industrial Park Road. *Voted 5/0*

ADMINISTRATIVE NOTES

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board appointed Stephen Michael Palmer to the **Plymouth Affordable Housing Trust** as the Plymouth Redevelopment Authority Designee. *Voted 5/0*

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board approved recommending **Article 16A** for the 2017 Fall Town Meeting. *Voted 5/0*

On a motion by Anthony Provenzano Jr and seconded by Shelagh Joyce, the Board approved recommending **Article 16B** for the 2017 Fall Town Meeting. *Voted 5/0*

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board approved recommending **Article 16C** for the 2017 Fall Town Meeting. *Voted 5/0*

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board approved recommending **Article 18** for the 2017 Fall Town Meeting. *Voted 5/0*

On a motion by Anthony Provenzano Jr and seconded by Shelagh Joyce, the Board approved and executed an Amended License Agreement between the Town of Plymouth (as Licensor) and **Fern Wirth** of 21 Skyline Drive (as Licensee) pertaining to the construction of an erosion control barrier upon town-owned coastal property located off Sanderson Drive identified as Lot 10G on Assessor's Map 54 contingent upon the licensee's satisfaction of all requirements specified within the agreement. *Voted 5/0*

John Mahoney, Selectman, said a lot of work was put into this by Tiffany Park, and then he asked Melissa Arrighi if she was comfortable with this, to which Ms. Arrighi said we reached a solution and everyone was pleased.

On a motion by Shelagh Joyce and seconded by Anthony Provenzano Jr, the Board approved and executed an Amended License Agreement between the Town of Plymouth (as Licensor) and **Ronald and Alina Chand** of 73 Sanderson Drive (as Licensee) pertaining to the construction of an erosion control barrier upon town-owned coastal property located off Sanderson Drive identified as Lot 10G on Assessor's Map 54 contingent upon the licensee's satisfaction of all requirements specified within the agreement. *Voted 5/0*

On a motion by John Mahoney and seconded by Anthony Provenzano Jr, the Board approved and executed an Amended License Agreement between the Town of Plymouth (as Licensor) and **James Rosenthal and Halina Wiczuk** of 108 Pawtuxet Road (as Licensee) pertaining to the construction of an erosion control barrier upon town-owned coastal property located off Sanderson Drive identified as Lot 10H on Assessor's Map 54 contingent upon the licensee's satisfaction of all requirements specified within the agreement. *Voted 5/0*

On a motion by Shelagh Joyce and seconded by Anthony Provenzano Jr, the Board approved and executed an Amended License Agreement between the Town of Plymouth (as Licensor) and **Michael and Denise Kelly** of 77 Sanderson Drive (as Licensee) pertaining to the construction of an erosion control barrier upon town-owned coastal property located off Sanderson Drive identified as Lot 10C and Lot 10G on Assessor's Map 54 contingent upon the licensee's satisfaction of all requirements specified within the agreement. *Voted 5/0*

9:42PM - COMMITTEE LIAISON / DESIGNEE UPDATES

None

9:43PM - OLD BUSINESS / LETTERS / NEW BUSINESS

None

9:44PM - ADJOURNMENT

On a motion by Betty Cavacco and seconded by Shelagh Joyce, the Board voted to adjourn the Open Session at 7:44pm and enter into Executive Session, not to reconvene in Open Session. *Voted 5/0*

By Roll Call: Tavares-Yes, Provenzano-Yes, Mahoney-Yes, Joyce-Yes, Cavacco-Yes

Recorded by: Christopher Badot

Administrative Assistant, Board of Selectmen